

## CPS-2 Transit Hubs

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 18 "PS PERFORMANCE STANDARD DISTRICT" AND CHAPTER 114, "GENERAL PROVISIONS," BY AMENDING SECTIONS 142-698 AND 142-699 REGARDING MAXIMUM BUILDING HEIGHT AND SETBACKS REQUIREMENTS FOR THE CPS-2 DISTRICT; AMENDING SECTION 114-1 REGARDING DEFINITIONS; PROVIDING FOR CODIFICATION; REPEALER;; SEVERABILITY; AN EFFECTIVE DATE; AND A SUNSET DATE.**

**WHEREAS**, the Mayor and City Commission have recognized the need to encourage the development of transit infrastructure in the City, especially in southern areas of the City; and

**WHEREAS**, the Mayor and City Commission desire to encourage innovative and compatible redevelopment that provides public benefits in the form of significant transit improvements;

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:**

**SECTION 1.** Chapter 142 of the City Code, entitled "Zoning Districts and Regulations," Article II, "Zoning Districts and Regulations," Division 18 "Performance Standard District", Section 142-698 is hereby amended as follows:

**Sec. 142-698. Commercial performance standard area requirements.**

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b) The commercial performance standard area requirements are as follows:

Commercial Subdistricts				
Performance Standard	CPS-1	CPS-2	CPS-3	CPS-4
Minimum lot area	6,000 square feet	6,000 square feet	6,000 square feet	6,000 square feet
Minimum lot width	50 feet	50 feet	50 feet	50 feet
Maximum building height	40 feet; 75 feet for the Block 51 Properties, the Block 51 Swap Property, Block 52 Properties; Block 1 Properties	50 – East of Lenox Avenue 75 – West of Lenox Avenue <u>300 – Developments west of Alton Road that</u>	Non-oceanfront – 80 Oceanfront – 100	150

		<u>incorporate a City transit hub as defined by Section 114-1</u>		
Maximum Number of Stories	4; 8 for the Block 51 Properties, the Block 51 Swap Property, Block 52 Properties; Block 1 Properties	5 – East of Lenox Avenue 7 – West of Lenox Avenue 30 – <u>Developments west of Alton Road incorporate a City transit hub as defined by Section 114-1</u>	Non-oceanfront – 8 Oceanfront – 11	16
Maximum floor area ratio	1.0; 1.5 for the Block 51 Properties, the Block 51 Swap Property, Block 52 Properties; and 2.0 for the Block 1 Properties	2.0	2.5	2.5
Residential and/or hotel development	Pursuant to all R-PS2 district regulations, except maximum building height for residential and mixed use buildings shall be 75 feet.	Pursuant to all R-PS3 district regulations, except maximum building height for residential and mixed use buildings shall be 75 feet. <u>Developments west of Alton Road that incorporate a City transit hub as defined by Section 114-1 may be developed as provided by the CPS-2 district regulations.</u>	Pursuant to all R-PS4 district regulations except maximum floor area ratio shall be 2.5; on the Goodman Terrace and Hinson Parcels, the FAR shall be that necessary to achieve 305,500 sq. ft. (estimated at 3.2 FAR), 30 stories and 300 ft. height maximum for the Goodman Terrace and Hinson Parcels, and open space ratio 0.60 measured at or above grade	Pursuant to all R-PS4 district regulations, except maximum floor area ratio shall be 2.5, and open space ratio 0.60 measured at or above grade.

Minimum apartment unit size (square feet)	New construction -- 650 Rehabilitated buildings -- 400	New construction -- 600 Rehabilitated buildings -- 400	New construction -- 550 Rehabilitated buildings -- 400	New construction -- 550 Rehabilitated buildings -- 400
Average apartment unit size (square feet)	New construction—900 Rehabilitated buildings —550	New construction—850 Rehabilitated buildings —550	New construction—800 Rehabilitated buildings —550	New construction—800 Rehabilitated buildings —550
Minimum floor area per hotel unit (square feet)		15% = 300—335 square feet; 85% = 335 + square feet in all districts.		
Minimum parking requirements		Pursuant to chapter 130 and section 142-702 requirement.		
Minimum off-street loading		Pursuant to chapter 130		
Signs		Pursuant to chapter 138		

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**SECTION 2.** Chapter 142 of the City Code, entitled “Zoning Districts and Regulations,” Article II, “Zoning Districts and Regulations,” Division 18 “Performance Standard District”, Section 142-699 is hereby amended as follows:

**Sec. 142-699. Setback requirements in the C-PS1, 2, 3, 4 districts.**

a) The setback requirements in the C-PS1, 2, 3, 4 districts are as follows:

	Front	Side-Interior	Side, Facing a Street	Rear
Subterranean	0 feet	0 feet	0 feet	0 feet
Pedestal and tower (non-oceanfront)	0 feet; for residential, 5 feet; 20 feet from adjacent streets above the first 40 feet in height for the Block 1 Properties, Block 51 Properties (except lots 11 and 12), Block 51 Swap Property and Block 52	7.5 feet when abutting a residential district, otherwise none. Residential uses shall follow the R-PS1, 2, 3, 4 setbacks (See section 142-697), <u>10 feet for developments west of Alton Road that incorporate a City transit hub as defined by</u>	0 feet Residential uses shall follow the R-PS1, 2, 3, 4 setbacks (See section 142-697) <u>10 feet for developments that incorporate a City transit hub as defined by Section 114-1</u>	10 feet when abutting a residential district, otherwise—5 feet; 3.5 feet for the Block 1 Properties, Block 51 Properties (except lots 11 and 12), Block 51 Swap Property and Block 52 Properties; unless separated

	Properties 0 feet for <u>developments that incorporate a City transit hub as defined by Section 114-1</u>	<u>Section 114-1</u>		by a waterway— None
Pedestal and tower (oceanfront)	Pedestal—15 feet Tower—20 feet plus one foot for every one foot increase in height above 50 feet, to a maximum of 50 feet, then shall remain constant	Commercial uses—10 feet Residential uses shall follow the R-PS1, 2, 3, 4 setbacks (See section 142-697)	Commercial uses—10 feet Residential uses shall follow the R-PS1, 2, 3, 4 setbacks (See section 142-697)	25% of lot depth, 75 feet minimum
Parking lots and garages	If located on the same lot as the main structure the above setbacks shall apply, if primary use the setbacks are listed in section 142-1132(n)			

- b) All required setbacks shall be considered as minimum requirements except for the pedestal front yard setback and the pedestal side yard facing a street setback, which shall be considered as both a minimum and maximum requirements, except for the Goodman Terrace and Hinson Parcels and developments west of Alton Road that incorporate a City transit hub as defined by Section 114-1
- c) For lots greater than 100 feet in width the front setback shall be extended to include at least one open court with a minimum area of three square feet for every linear foot of lot frontage, except for those properties located in the C-PS1 district described in section 142-698(a) and developments west of Alton Road that incorporate a City transit hub as defined by Section 114-1.

**SECTION 3.** Chapter 142 of the City Code, entitled “Zoning Districts and Regulations,” Article II, “Zoning Districts and Regulations,” Division 18 “Performance Standard District”, Section 142-695 is hereby amended as follows:

**Sec. 142-695. Performance standard regulations generally.**

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- c) In the C-PS districts, all floors of a building containing parking spaces shall incorporate the following:
- (1) Residential or commercial uses, as applicable, at the first level along every facade facing a street, sidewalk or waterway. For properties not having access to an alley, the required residential space shall accommodate entrance and exit drives. Developments that incorporate a City transit hub as defined by Section 114-1 are not required to

incorporate residential or commercial uses but shall incorporate other architectural elements to create a pedestrian scale at the first level.

- (2) Residential or commercial uses above the first level along every facade facing a waterway.
- (3) For properties less than 60 feet in width, the total amount of commercial space at the first level along a street side shall be determined by the design review or historic preservation board, as applicable. All facades above the first level, facing a street or sidewalk, shall include a substantial portion of residential or commercial uses; the total amount of residential or commercial space shall be determined by the design review or historic preservation board, as applicable, based upon their respective criteria.

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**SECTION 4.** Chapter 114 of the City Code, entitled "General Provisions," Section 114-1 is hereby amended as follows:

**Sec. 114-1. Definitions.**

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**Developments that incorporate a City transit hub** means a private development that has dedicated, following City Commission approval, an area of at least 20,000 square feet in size at no cost to the public to accommodate the City's development of facilities for passenger boarding and transfer for one or more transit modes, including, but not limited to, bus, trolley, streetcar, or train.

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**SECTION 5. CODIFICATION.** It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

**SECTION 6. REPEALER.** All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same are hereby repealed.

**SECTION 7. SEVERABILITY.** If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall take effect ten days following adoption.

**SECTION 9. SUNSET PROVISION.** Unless otherwise extended, this Ordinance shall be of no effect three (3) years from its effective date.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

APPROVED AS TO  
FORM AND LANGUAGE  
& FOR EXECUTION

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

First Reading:

Second Reading:

Verified by: \_\_\_\_\_  
Thomas Mooney, AICP  
Planning Director

Underscore denotes new language